

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Michael Kubayanda, Chairman;
Ashley E. Poling, Vice Chairwoman;
Mark Acton;
Ann C. Fisher; and
Robert G. Taub

Complaint of Christopher S. Searcy

Docket No. C2021-2

ORDER REFERRING COMPLAINT

(Issued August 9, 2021)

Complainant, Christopher S. Searcy, filed the instant complaint with the Commission on August 5, 2021.¹ Complainant alleges that the Postal Service has acted unlawfully by suspending mail service to his mailbox due to risk to mail carriers caused by dogs. Complaint at 1.

Under the Commission's rules, it may, *sua sponte*, attempt to resolve certain complaints through its rate or service inquiry procedures if it determines that there is a reasonable likelihood that these procedures may result in resolution of the complaint, pursuant to 39 C.F.R. § 3022.13(b). Under these procedures, the Commission forwards the complaint to the Postal Service for investigation. 39 C.F.R. § 3023.11(a). The Postal Service then advises the Commission in writing within 45 days as to the

¹ Complaint of Christopher S. Searcy vs Danville, KY Post Office, August 5, 2021 (Complaint).

resolution of the complaint or its refusal or inability to resolve it, copying the inquiring party. *Id.* Referral to the rate or service inquiry process is appropriate where, as is the case here, a complaint concerns rate or service matters that are isolated incidents, affecting few mail users, and do not raise broader issues from categories enumerated in the regulations. 39 C.F.R. § 3022.13(a). For the aforementioned reasons, the Commission hereby refers the instant Complaint to the Postal Service for investigation, pursuant to 39 C.F.R. § 3022.13(b).

The Commission shall monitor the resolution of the rate or service inquiry process for this case, and if the process does not resolve the Complaint, the Commission may consider the Complaint under its rules, found in 39 C.F.R. part 3022. The Commission's rules have several requirements that were not met in this case; compliance with the rules would be necessary for the Complaint to proceed under its rules.²

It is ordered:

The Complaint is referred to the Postal Service for investigation, pursuant to the Commission's rules for rate or service inquiries. The Postal Service shall advise the Commission in writing as to the resolution of the Complaint by September 23, 2021.

By the Commission.

Jennie L. Jbara
Alternate Certifying Officer

² Complainant has not included a description of any business, commercial, or economic issues presented by the complaint (39 C.F.R. § 3022.10(a)(3)), a description of persons or classes of persons known or believed to be similarly affected by the issues involved in the complaint (39 C.F.R. § 3022.10(a)(4)), a certification that Complainant attempted to meet or confer with the Postal Service's general counsel to resolve the complaint (39 C.F.R. § 3022.10(a)(9)), or indicated that Complainant properly served the Postal Service with the Complaint (39 C.F.R. § 3022.10(a); 39 C.F.R. § 3022.11).